

ESTTA Tracking number: **ESTTA386425**Filing date: **01/03/2011**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91197573
Party	Defendant Sipi Metals Corp.
Correspondence Address	ROBERT S. BEISER VEDDER PRICE P.C. 222 N LASALLE ST STE 2400 CHICAGO, IL 60601-1104 rbeiser@vedderprice.com
Submission	Answer and Counterclaim
Filer's Name	Robert S. Beiser
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Signature	/Robert S. Beiser/
Date	01/03/2011
Attachments	Answer and Counter-Claim.pdf (28 pages)(1319851 bytes)

Registrations Subject to the filing

Registration No	2474958	Registration date	08/07/2001
International Registration No.	NONE	International Registration Date	NONE
Registrant	SAMBO COPPER ALLOY CO., LTD. 8-374, Sambo-cho, Sakai-shi Osaka-fu, JAPAN		
Grounds for filing	The registered mark has been abandoned.		

Goods/Services Subject to the filing

Class 006.

All goods and services in the class are requested, namely: COPPER and copper alloy in bars, billets and sheets for use in future manufacturing by machining, casting or forging

Registration No	2479029	Registration date	08/21/2001
Registrant	SAMBO COPPER ALLOY CO., LTD. 8-374, Sambo-cho Sakai-shi, Osaka-fu, JAPAN		
Grounds for filing	The registered mark has been abandoned.		

Goods/Services Subject to the filing

Class 006. First Use: 2000/01/26 First Use In Commerce: 2000/01/26

All goods and services in the class are requested, namely: Cooper alloy in the nature of brass in bars, billets and sheets for use in future manufacturing by machining, casting and forging

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

CHASE BRASS, LLC, a Delaware Limited
Liability Company,

Opposer,

v.

SIPI METALS CORP., an Illinois Corporation,

Applicant, Counter-Claimants,

v.

CHASE BRASS, LLC, a Delaware Limited
Liability Company,

Counter-Defendant.

Marks: ECO BRONZE / ECO-BRONZE /
ECOBRONZE

Opposing Marks: ECO BRASS / ECOBRASS

Opposition No. 91/197,571

Opposition No. 91/197,573

Opposition No. 91/197,574

ANSWER & COUNTER-CLAIM

Commissioner:

Applicant, Sipi Metals, Corp. (“Sipi Metals”) (“Applicant”) in Opposition No. 91/197,571, in Opposition No. 91/197,573, and in Opposition No. 91/197,574, also Counter-Claimant in these three Oppositions, by and through its attorneys, hereby answers the Notice of Opposition as follows:

1. On March 1, 2010, Applicant filed U.S. Trademark Application Serial No. 77/947,614 (“the ‘614 Application”) for ECO-BRONZE for “bronze and bronze alloy in bars, billets and sheets for use in manufacturing by machining, casting or forging” in International

Class 6. See Exhibit A. Based on 15 U.S.C. § 1051(b), Applicant claimed an intention to use ECO-BRONZE.

ANSWER: Admitted.

2. Prior to Applicant's filing date of March 1, 2010, on May 26, 1999, Sambo filed U.S. Trademark Application Serial No. 75/716,107 for ECOBRASS for "copper and copper alloy in bars, billets and sheets for use in future manufacturing by machining, casting or forging" in International Class 6. See Exhibit B. U.S. Trademark Application Serial No. 75/716,107 proceeded to registration on August 7, 2001 as U.S. Trademark Registration No. 2,474,958.

ANSWER: The allegations set forth in Paragraph 2 of the Notice for Opposition are self serving allegations, puffery, and amount to legal conclusions to which a response is not required. Further, trademark registrations and applications speak for themselves and no response is required to portions of the allegations relating to public documents. Applicant is also without specific knowledge at this time to admit any of these allegations with the exception of the information present on the face of the Certificate of Registration of U.S. Reg. 2,474,958. To the extent a response is required, Applicant denies the allegations pending further investigation.

3. Prior to Applicant's filing date of March 1, 2010, on June 30, 1999, Sambo filed U.S. Trademark Application Serial No. 75/741,530 for ECO BRASS "copper alloy in the nature of brass in bars, billets and sheets for use in future manufacturing by machining, casting and forging" in International Class 6. See Exhibit C. U.S. Trademark Application Serial No. 75/741,530 proceeded to registration on August 21, 2001 as U.S. Trademark Registration No. 2,479,029.

ANSWER: The allegations set forth in Paragraph 3 of the Notice for Opposition are self serving allegations, puffery, or amount to legal conclusions to which a response is not required.

Further, trademark registrations and applications speak for themselves and no response is required to this portion of the allegations. Applicant is also without specific knowledge at this time to admit any of these allegations with the exception of the information present on the face of the Certificate of Registration of U.S. Reg. 2,479,029. To the extent a response is required, Applicant denies the allegations pending further investigation.

4. Through a license agreement with Sambo, which predates Applicant's filing date of March 1, 2010, Chase is authorized to use the ECOBRASS and ECO BRASS marks owned by Sambo.

ANSWER: Applicant is without knowledge at this time of any license agreement between Sambo and Chase, and is therefore unable to admit any of the allegations of paragraph 4. To the extent a response is required, Applicant denies the allegations.

5. Prior to Applicant's filing date of March 1, 2010, Chase used and continues to use ECO BRASS for copper alloy in rods for use in, among other things, manufacturing by machining, casting and forging.

ANSWER: Applicant is without knowledge at this time of the use made by Opposer of the ECO BRASS mark owned by Sambo, a third party. To the extent a response is require as to the rest of the allegations, Applicant denies the allegations of paragraph 5.

6. Chase's use of ECO BRASS long predates the filing date of the '614 Application and, on information and belief, any actual use Applicant may have made of the mark ECO-BRONZE.

ANSWER: Applicant is without knowledge at this time of the use made by Opposer of the ECO BRASS mark owned by Sambo, a third party. To the extent a response is require as to the rest of the allegations of paragraph 6, Applicant denies the allegations. It is unclear if Chase

claims the ECO BRASS Registration predate the filing or its use of the mark for rods. Applicant is faced with a fatal incoherence between the goods in paragraph 5 (Third Party/Owner Goods: copper alloy rods), paragraph 1 (Applicant's Goods: bronze and bronze alloy in bars, billets and sheets), and paragraphs 2-3 (Opposer's Goods: copper and copper alloy in bars, billets and sheets / copper alloy in the nature of brass in bars, billets and sheets). Applicant has therefore filed a motion for a definite statement and asks this Board to ask Opposer to clarify or dismiss the 2(d) pleading.

7. The grant of a registration to Applicant for ECO-BRONZE as sought in the '614 Application should be denied on the grounds of Sambo's prior application for, and Chase's prior use of ECO BRASS.

ANSWER: Denied. Applicant is faced with a fatal incoherence between the goods in paragraph 5 (Third Party/Owner Goods: copper alloy rods), paragraph 1 (Applicant's Goods: bronze and bronze alloy in bars, billets and sheets), and paragraphs 2-3 (Opposer's Goods: copper and copper alloy in bars, billets and sheets / copper alloy in the nature of brass in bars, billets and sheets). Applicant has therefore filed a motion for a definite statement and asks this Board to ask Opposer to clarify the 2(d) pleading.

8. The mark sought to be registered by Applicant is confusingly similar to the ECO BRASS mark and the use of ECO-BRONZE by Applicant is likely to cause confusion or mistake in the minds of the public and lead to public and prospective purchasers to believe that applicant's goods are those of Sambo and/or Chase or are endorsed, sponsored, or otherwise affiliated or connected with Sambo and/or Chase, or that Sambo's and/or Chase's goods and services are associated with applicant, contrary to 15 U.S.C. § 1052(d), and all to the damage and injury of the purchasing public and to the damage and injury of Sambo and Chase.

ANSWER: Denied.

9. The grant of a registration to Applicant for its ECO-BRONZE mark as sought in the '614 Application should be denied on the grounds that Applicant's use and registration of ECOBRONZE dilutes the distinctiveness of the ECO BRASS mark, which is famous.

ANSWER: Denied.

FIRST AFFIRMATIVE DEFENSE

SAMBO IS AN INDISPENSABLE/MISSING PARTY

1. The marks ECOBRASS (Reg. 2,474,958), and ECO BRASS (Reg. 2,479,029) as per their certificates of Registration are believed to be currently owned by the Sambo Copper Allow Co., Ltd., a Japanese Corporation, not Opposer.

2. Sambo twice requested and was twice granted an extension of time to oppose pursuant to 37 C.F.R. § 2.102. (See Exhibit A). Yet, Sambo on November 24, 2010, failed to join this Opposition.

3. The mark ECOBRASS (Reg. 2,474,958), asserted and attached to the Notice of Opposition, is believed to be invalid and abandoned for non-use in the marketplace as only the mark ECO BRASS appears to be in use in the United States. Opposer or the Trademark owner use in the United States the mark ECO BRASS, not ECOBRASS.

4. Sambo is an absent party that qualifies as a "necessary party" under Rule 19(a) of the Federal Rules of Civil Procedure because even if Applicant is successful in the action against Chase, Sambo or a subsequent licensee may move before this Board for Cancellation or before a District Court for the determination on the same issue leaving Applicant at a substantial risk of incurring double, multiple, or otherwise inconsistent obligations by reason of the claimed

interest. Since Sambo has now failed to join this Opposition and may no longer do so, Sambo is an indispensable party and dismissal of the action pursuant to Rule 19(b) is needed.

WHEREFORE, Applicant, submits the Notice of Opposition should be dismissed as Sambo waived its right to oppose and Sambo is now an indispensable party under Rule 19(b).

SECOND AFFIRMATIVE DEFENSE

ECO BRASS CANNOT BE MADE TO BECOME MISDESCRIPTIVE

1. Opposer asserts the mark ECO BRASS for brass goods.
2. The cited mark ECO BRASS (Reg. 2,479,029) owned by Sambo is also for brass in bars, billets and sheets; not bronze.
3. Opposer argues under a likelihood of confusion under 2(d) and dilution under 43(c) that its customers can be confused if Applicant's bronze product enters the marketplace under the mark ECO BRONZE, and therefore the mark ECO BRASS must be construed to encompass goods made of "bronze" in addition to goods made of "brass."
4. Any registered or common law mark ECO BRASS or ECOBRASS cannot function as a mark for bronze bars or brass rods as this mark in the context of bronze becomes deceptively misdescriptive of the goods. 15 U.S.C. § 1052(e)(1).
5. The mark ECO BRASS in relation to bronze-based products can be given no weight under Section 2(e)(1) as it does not function as a "mark."
6. For a claim under Section 2(d) to succeed, the Opposer must have a "mark" that resembles Applicant's mark. TBMP § 309.03(c)(1), and therefore, the term ECO BRASS or ECOBRASS for bronze products is deceptively misdiscriptive and cannot function as a mark so as to cause confusion, mistake or to deceive.

WHEREFORE, Applicant, submits the Notice of Opposition should be dismissed as ECO BRASS or ECOBRASS cannot be enforced against the goods of Applicant.

COUNTERCLAIM FOR INVALIDATION

This is an action arising under 15 U.S.C. § 1063(a) of the Lanham Act. Applicant/Counter-Claimant Sipi Metals asserts the following counterclaims against Opposer/Counter Defendant Chase:

1. Sambo is the listed owner on the face of U.S. Reg. 2,474,958 for the mark ECOBRASS, and on the face of U.S. Reg. 2,479,029 for the mark ECO BRASS.

2. U.S. Reg. 2,474,958 issued on August 7, 2001, for copper and copper alloy in bars, billets and sheets for use in future manufacturing by machining, casting or forging in international class 6.

3. U.S. Reg. 2,479,029 issued on August 21, 2001, for copper alloy in the nature of brass in bars, billets and sheets for use in future manufacturing by machining, casting and forging in international class 6.

4. Both U.S. Registrations 2,479,029 and 2,474,958 were initially filed with the United States Patent and Trademark Office for “copper and copper alloy” and after initial rejection of these broad recitations, the marks were narrowed to the respective recitations during prosecution.

5. After reasonable investigation, the single word mark ECOBRASS is not in commercial use in the United States. The single word mark ECOBRASS may be used abroad by licensee Dowa Mining in Japan, and Wieland-Werke AG. in Germany. (See ecobrass.com topics page as Exhibit B). In the United States only ECO BRASS has been added to the ASTM in 2006 (See Exhibit B) as part of the standard specifications for Copper-Zinc-Silicon Alloy Rod, Copper

and Copper Alloy Forging Rod, Bar, and Shapes, and Copper and Copper-Alloy Die Forgings (Hot-Pressed).

6. Failure to use a mark such as ECOBRASS in interstate commerce in the United States by Sambo results in abandonment of the mark for which cancellation is the proper venue under 15 U.S.C. § 1064(3). Therefore, U.S. Reg. 2,474,958 must be cancelled by the Board.

7. In the alternative, Sambo owns two certificates of registrations the first for ECO BRASS and the second for ECOBRASS each for slightly differently narrowed goods. In the unlikely alternative this Board finds use in commerce for ECOBRASS and does not invalidate U.S. Reg. 2,474,958, the two registration certificates must be narrowed to align with the actual use of the marks in commerce, and at the least, the most restrictive registrations including the term brass.

8. U.S. Registrations 2,479,029 and 2,474,958 are for bars, billets and sheets for use in future manufacturing by machining, casting or forging, not copper and copper alloys. Chase as the exclusive licensee appears to be the only current client of Sambo in the United States for these goods under the mark (See Exhibit C). The marks used only to a single distributor are therefore not in trade in interstate commerce in the United States and cannot be purchased by any third party. Both U.S. Registrations 2,479,029 and 2,474,958 must be cancelled for abandonment in this country.

9. To the best of Applicant's knowledge, the use made by Chase of the mark ECO BRASS appears to be to describe goods made of a specific copper and copper alloy originating from Sambo. This use of the marks is contrary to the grant by the United States Patent and Trademark Office and was found unacceptable as indefinite during the prosecution of the marks.

10. The trademark examiner further asked applicant to clarify that brass is the nature of the alloy otherwise the mark would be found to be misdescriptive of the goods and therefore be unable to function as a mark, the term brass must be present in both certificates.

11. There is an actual and justiciable controversy between the parties concerning whether the U.S. Registrations 2,479,029 and 2,474,958 are in use in the United States, and if they are valid or stand invalid as abandoned.

12. Further, in the alternative, if one or two of the marks are found to be in use, the identification of the goods must be narrowed to prevent a misdescriptive use of the marks or a confusion between the breadth of the marks.

Applicant is entitled to a judicial declaration that U.S. Registrations 2,479,029 and 2,474,958 are invalid and that, therefore, Applicant's marks at Opposition cannot be opposed or confused with the marks.

PRAYER FOR RELIEF

WHEREFORE, Applicant prays for relief as to its Answer and Counter-Claim as follows:

U.S. Registration No. 2,474,958 be declared invalid as abandoned, and in the first alternative that the registration be narrowed to 'copper and copper alloy in the nature of brass in bars, billets and sheets for use in future manufacturing by machining, casting or forging,' and in the second alternative that it be narrowed to 'copper and copper alloy in bars, billets and sheets for use in future manufacturing by machining, casting or forging and not for bronze and bronze alloy.'

U.S. Registration No. 2,474,029 be invalidated as abandoned, and in the first alternative that the registration be narrowed to 'copper alloy in the nature of brass in bars, billets and sheets

for use in future manufacturing by machining, casting or forging, and not for bronze alloy.' and in the second alternative that it be narrowed to 'copper alloy in rods and not for bronze alloy.'

This Board finds that Chase's rights in the registered mark ECO BRASS or any Common Law mark ECO BRASS be found not to create a likelihood or actual confusion under Section 2(d) of the Lanham Act with Applicant's marks ECO BRONZE / ECO-BRONZE / ECOBRONZE. Further, the Board find that Chase's rights as to both the registered marks ECO BRASS and ECOBRASS and any Common Law mark derived there from clearly exclude bronze products including bronze bars, billets and sheets and rods for use in future manufacturing by machining, casting or forging. Finally, that the Board dismiss the notice of opposition and enjoin Registrant Sambo or any party in privity from filing a petition for cancellation on these grounds.

Respectfully submitted,

SIPI METALS CORP.

/Robert S. Beiser/
Robert S. Beiser

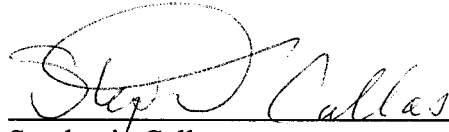
Dated: January 3, 2011

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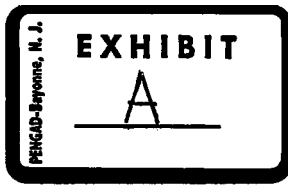
CERTIFICATE OF SERVICE

I hereby certify that on the ___th day of December 2010, I served a true and correct copy of the foregoing **Answer and Counter-Claim** on the attorney for the Petitioner at the address indicated below by depositing said document in the United States mail, first class postage prepaid:

Bryan K. Wheelock
Harness, Dickey & Pierce, PLC
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Stephanie Callas



Trademark Trial and Appeal Board Electronic Filing System. <http://estta.uspto.gov>

ESTTA Tracking number: **ESTTA365189**

Filing date: **08/26/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Applicant:	Sipi Metals Corp.
Application Serial Number:	77947614
Application Filing Date:	03/01/2010
Mark:	ECO-BRONZE
Date of Publication	07/27/2010

First 30 Day Request for Extension of Time to Oppose

Pursuant to 37 C.F.R. Section 2.102, Sambo Copper Alloy Co., Ltd., 8-374, Sambo-cho, Sakai-shi, Osaka-fu, Osaka, 590-0906, JAPAN, a corporation organized under the laws of Japan, respectfully requests that it be granted a 30-day extension of time to file a notice of opposition against the above-identified mark.

The time within which to file a notice of opposition is set to expire on 08/26/2010. Sambo Copper Alloy Co., Ltd. respectfully requests that the time period within which to file an opposition be extended until 09/25/2010.

Respectfully submitted,

/Wesley Ashton/

08/26/2010

Joerg-Uwe Szipl

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ESTTA Tracking number: **ESTTA370367**

Filing date: **09/27/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Applicant: **Sipi Metals Corp.**
Application Serial Number: **77947614**
Application Filing Date: **03/01/2010**
Mark: **ECO-BRONZE**
Date of Publication: **07/27/2010**

60 Day Request for Extension of Time to Oppose for Good Cause

Pursuant to 37 C.F.R. Section 2.102, Sambo Copper Alloy Co., Ltd., 8-374, Sambo-cho, Sakai-shi, Osaka-fu, Osaka, 590-0906, JAPAN respectfully requests that he/she/it be granted an additional 60-day extension of time to file a notice of opposition against the above-identified mark for cause shown .

Potential opposer believes that good cause is established for this request by:

- The potential opposer needs additional time to investigate the claim

The time within which to file a notice of opposition is set to expire on 09/25/2010. Sambo Copper Alloy Co., Ltd. respectfully requests that the time period within which to file an opposition be extended until 11/24/2010.

Respectfully submitted,

/bdburke/
09/27/2010

Joerg- Uwe Szipl

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ESTTA Tracking number: **ESTTA365186**

Filing date: **08/26/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Applicant: **Sipi Metals Corp.**
Application Serial Number: **77947606**
Application Filing Date: **03/01/2010**
Mark: **ECOBRONZE**
Date of Publication **07/27/2010**

First 30 Day Request for Extension of Time to Oppose

Pursuant to 37 C.F.R. Section 2.102, Sambo Copper Alloy Co., Ltd., 8-374, Sambo-cho, Sakai-shi, Osaka-fu, Osaka, 590-0906, JAPAN, a corporation organized under the laws of Japan, respectfully requests that it be granted a 30-day extension of time to file a notice of opposition against the above-identified mark.

The time within which to file a notice of opposition is set to expire on 08/26/2010. Sambo Copper Alloy Co., Ltd. respectfully requests that the time period within which to file an opposition be extended until 09/25/2010.

Respectfully submitted,
/Wesley Ashton/
08/26/2010

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ESTTA Tracking number: **ESTTA370372**

Filing date: **09/27/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Applicant: **Sipi Metals Corp.**
Application Serial Number: **77947606**
Application Filing Date: **03/01/2010**
Mark: **ECOBRONZE**
Date of Publication: **07/27/2010**

60 Day Request for Extension of Time to Oppose for Good Cause

Pursuant to 37 C.F.R. Section 2.102, Sambo Copper Alloy Co., Ltd., 8-374, Sambo-cho, Sakai-shi, Osaka-fu, Osaka, 590-0906, JAPAN respectfully requests that he/she/it be granted an additional 60-day extension of time to file a notice of opposition against the above-identified mark for cause shown .

Potential opposer believes that good cause is established for this request by:

- The potential opposer needs additional time to investigate the claim

The time within which to file a notice of opposition is set to expire on 09/25/2010. Sambo Copper Alloy Co., Ltd. respectfully requests that the time period within which to file an opposition be extended until 11/24/2010.

Respectfully submitted,

/bdburke/

09/27/2010

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ESTTA Tracking number: **ESTTA365187**

Filing date: **08/26/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Applicant:	Sipi Metals Corp.
Application Serial Number:	77947618
Application Filing Date:	03/01/2010
Mark:	ECO BRONZE
Date of Publication	07/27/2010

First 30 Day Request for Extension of Time to Oppose

Pursuant to 37 C.F.R. Section 2.102, Sambo Copper Alloy Co., Ltd., 8-374, Sambo-cho, Sakai-shi, Osaka-fu, Osaka, 590-0906, JAPAN, a corporation organized under the laws of Japan, respectfully requests that it be granted a 30-day extension of time to file a notice of opposition against the above-identified mark.

The time within which to file a notice of opposition is set to expire on 08/26/2010. Sambo Copper Alloy Co., Ltd. respectfully requests that the time period within which to file an opposition be extended until 09/25/2010.

Respectfully submitted,

/Wesley Ashton/

08/26/2010

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ESTTA Tracking number: **ESTTA370360**

Filing date: **09/27/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Applicant: **Sipi Metals Corp.**
Application Serial Number: **77947618**
Application Filing Date: **03/01/2010**
Mark: **ECO BRONZE**
Date of Publication: **07/27/2010**

60 Day Request for Extension of Time to Oppose for Good Cause

Pursuant to 37 C.F.R. Section 2.102, Sambo Copper Alloy Co., Ltd., 8-374, Sambo-cho, Sakai-shi, Osaka-fu, Osaka, 590-0906, JAPAN respectfully requests that he/she/it be granted an additional 60-day extension of time to file a notice of opposition against the above-identified mark for cause shown .

Potential opposer believes that good cause is established for this request by:

- The potential opposer needs additional time to investigate the claim

The time within which to file a notice of opposition is set to expire on 09/25/2010. Sambo Copper Alloy Co., Ltd. respectfully requests that the time period within which to file an opposition be extended until 11/24/2010.

Respectfully submitted,

/bdburke/
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TOPICS

- Chase Brass, Californian Metal-X sign a sublicense agreement for "ECO BRASS®"
- Chase Brass, Concast Metal sign a sublicense agreement for "ECO BRASS®" continuous cast rod in North America
- "ECO BRASS®" has been officially added to ASTM
- Chase Brass, Ingot Metal sign deal for "ECO BRASS®" Ingot in North America
- Chase Brass & Copper and Sambo Shindoh sign license agreement for lead-free "ECO BRASS®"
- Ohki Shindo and Sambo Copper sign license agreement for "ECO BRASS®"
- Nippon Shindo and Sambo Copper sign license agreement for "ECO BRASS®"
- "ECO BRASS®" is officially registered by the CDA as UNS Alloy No. C69300 and C87850
- Dowa Minig and Sambo Copper sign license agreement for "ECO BRASS®"
- The Japan Copper and Brass Association establishes a Technical Standard for Lead-Free Brass
- Wieland-Werke and Sambo Copper sign license agreement for Europe
- "ECO BRASS®" US patent received July 2002
- "ECO BRASS®" complies with new Japanese lead leaching standard
- "ECO BRASS®" receives "New Technical Innovation" award
- "ECO BRASS®" water meter certified by the Japan Water Works Association

Chase Brass, California Metal-X sign a sublicense agreement for "ECO BRASS®" Ingot in North America

Montpelier, Ohio, June 24, 2009 - Chase Brass & Copper Company, Inc. conducted a formal signing of a sub-license agreement with California Metal-X of Los Angeles, California to produce and sell ECO BRASS® Ingots for the North American marketplace. Chase Brass has the exclusive license to produce and sell ECO BRASS® rod and ingot products in the United States, Canada and Mexico. This sublicense will provide the North American marketplace with another domestic producer for ECO BRASS® Ingots. "We are excited to have a company like California Metal-X join the ECO BRASS® family support network," stated Devin Denner, President of Chase Brass. "They are very well established and have an excellent reputation for providing value to their customers. This license will bring further breadth to the supply chain to support the growing demand for lead-free products."

For more information Contact

Contact:	Tim Strelitz, President CALIFORNIA METAL-X 366 EAST 58th STREET LOS ANGELES, CA 90011
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Email:	tfstrelitz@cmxmetals.com
Website:	www.cmxmetals.com

Chase Brass, Concast Metal sign a sublicense agreement for "ECO BRASS®" continuous cast rod in North America

Montpelier, Ohio, August 8, 2006 - Chase Brass & Copper Company, Inc. has entered into a sublicense agreement with Concast Metal Products Company of Mars, Pennsylvania to produce and sell ECO BRASS® continuous cast rod, bar and hollow bar products for the North American marketplace. This sublicense with Concast will provide North American customers with a domestic source of continuous cast ECO BRASS® products. Chase Brass has the exclusive license to produce and sell ECO BRASS® rod and ingot products in the United States, Canada and Mexico.

"Concast will be an excellent partner to produce and market the ECO BRASS® products. They are the industry leader in continuous cast products in North America, and Chase is excited to add them to the family of producers who will promote this non-leaded machinable alloy," stated Devin Denner, Vice President and General Manager of Chase Brass.



"ECO BRASS®" has been officially added to ASTM

In May, 2006, "ECO BRASS®" has been officially added to ASTM.

Designation: B 371/B 371M – 05

**Standard Specification for
Copper-Zinc-Silicon Alloy Rod¹**

Designation: B 124/B 124M – 06

**Standard Specification for
Copper and Copper Alloy Forging Rod, Bar, and Shapes¹**

Designation: B 283 – 06

**Standard Specification for
Copper and Copper-Alloy Die Forgings (Hot-Pressed)¹**



Chase Brass, Ingot Metal sign deal for "ECO BRASS®" Ingot

in North America

Montpelier, Ohio - On December 9, 2005 Chase Brass & Copper Company, Inc. signed a sub-license with Ingot Metal Company Limited of Toronto, Ontario to produce and sell ECO BRASS® Ingots for the North American marketplace. Chase Brass has the exclusive license to produce and sell ECO BRASS® rod and ingot products in the United States, Canada and Mexico. This sublicense will provide the North American marketplace with a domestic producer for ECO BRASS® Ingots. "We are very excited about the potential for ECO BRASS® in the North American marketplace," stated Devin Denner, Vice President and General Manager of Chase Brass. "This license with Ingot Metal Company Limited will allow us to aggressively market and produce ECO BRASS® Ingots for North American casting manufacturers."

For more information Contact

Contact:	David Shore, Sales Manager INGOT METAL COMPANY LIMITED 111 FENMAR DRIVE TORONTO, ONTARIO, M9L 1M3
Phone:	(800) 567-7774
Fax:	(416) 749-1371
Email:	dshore@ingot.ca
Website:	www.ingot.ca/ecobrass

 UP

Chase Brass & Copper and Sambo Shindoh sign license agreement for lead-free "ECO BRASS®"

Chase Brass & Copper obtained ECO BRASS® exclusive rights for North America

On April 28, 2005, Sambo Shindoh Co., Ltd. (Head Office: Sakai-City, Osaka, Japan, President: Takao Hashida) and Chase Brass & Copper Co., Inc. (Head office: Montpelier, Ohio) signed a license agreement for lead-free ECO BRASS®. Chase Brass obtained exclusive rights for the production and sale of ECO BRASS® rod and ingot in North America. ECO BRASS® is a lead-free brass material commercially developed by Sambo Shindoh Co., Ltd., a leading Japanese manufacturer of brass mill products.

Chase Brass & Copper Company, Inc., a wholly-owned subsidiary of Olin Corporation, is the largest brass rod manufacturer in North America. The company selected ECO BRASS® to meet the needs of the marketplace requesting a lead-free brass alternative. This lead-free alloy has physical and mechanical properties that provide excellent strength and corrosion resistance characteristics while still maintaining good machinability.

This partnership with Chase Brass finalizes Sambo's strategy to establish marketing and sales efforts globally, including Asia, Europe and North America.

 UP

Ohki Shindo and Sambo Copper sign license agreement for "ECO BRASS®"

On March 23, 2005, Ohki Shindo (Head office: Tokyo, Japan) and Sambo Copper signed a license

agreement on a non-exclusive basis for the alloy and trademark "ECO BRASS®", lead-free brass, within the territory of Japan.

Ohki Shindo is a leading manufacturer of brass rod in Kanto area with a monthly production of 2,500-2,700 tons. They also supply Bi added lead-free brass. By adding "ECO BRASS®", Si added lead-free brass with high strength and excellent stress corrosion cracking resistance to their products lineup, they will advance customer development further.

By grant of the license to Ohki Shindo, the "ECO BRASS®" family now consists of four companies, including Sambo Copper, Dowa Mining and Nippon Shindo. We plan to expand the "ECO BRASS®" family further in the future.



Nippon Shindo and Sambo Copper sign license agreement for "ECO BRASS®"

On March 5, 2004, Nippon Shindo (Head office: Osaka, Japan) and Sambo Copper signed a license agreement on a non-exclusive basis for the alloy and trademark "ECO BRASS®", lead-free brass, within the territory of Japan.

In Japan, this is the second agreement after signing with Dowa Mining in December 2003.

Nippon Shindo also supplies Bi added lead-free brass. With the license agreement for "ECO BRASS®", Si added lead-free brass, Nippon Shindo will produce and sell "ECO BRASS®" to meet customer's needs.



"ECO BRASS®" is officially registered by the CDA as UNS Alloy No. C69300 and C87850

The Copper Development Association (CDA), Technical Service and Standards Advisor Committee, in its December 10, 2003 meeting approved the registration of ECO BRASS® as UNS Alloy Nos. C69300 and C87850.

The compositions and associated data are now added to the Copper Page Website, properties Section. C69300 is for Wrought Copper Alloy and C87850 is for Casting Alloy.

ECO BRASS® is a new lead-free Copper alloy leading the way towards a Lead-Free global standard.

The following icon is linked to the CDA Copper Page Website Properties Section.



<http://www.copper.org/resources/properties/db/CDAPropertiesSelectionServlet.jsp>

Chemical Composition, Percent Maximum (Unless shown as a Range or Minimum)		
UNS Alloy No. Element	C69300	C87850
Copper(incl Ag)	73.0 - 77.0 (x)	74.0 - 78.0
Lead	0.10	0.10
Iron	0.10	0.10
Tin	0.20	0.30

Zinc	Rem.	Rem.
Nickel(incl Co)	0.10	0.20
Manganese	0.10	0.10
Silicon	2.7 - 3.4	2.7 - 3.4
Phosphorus	0.04 - 0.15	0.05 - 0.20
Antimony	--	0.10

(x) Cu + Sum of Named Elements, 99.5% min



Dowa Minig and Sambo Copper sign license agreement for "ECO BRASS®"

On December 22, 2003, Dowa Mining (Head office: Tokyo, Japan. President: Hirokazu Yoshikawa) and Sambo Copper signed a license agreement on a non-exclusive basis for the alloy and trademark "ECOBASS", lead-free copper, within the territory of Japan.

Sambo Copper has already concluded a license agreement for "ECOBASS" with Wieland-Werke AG (Head office: Ulm, Germany) on November 1, 2003 within the territory of Europe. However, this is the first agreement within the domestic market.

Sambo Copper has a plan to grant the same License Agreements to more companies both in Japan and foreign countries as part of its strategy to establish "ECOBASS" as the global standard for Lead-Free brass.

Dowa Mining also supplies Bi added lead-free brass. By adding "®" to their products lineup, they will be able to widely comply with customer's lead-free needs and expand sales of lead-free brass.

The production of "ECO BRASS®" will eventually be carried out by their 100% owned subsidiary, Shin Nihon Brass (Head office: Asahi-city, President: Yasuharu Fujita). In the initial stages, they will buy rod from Sambo Copper for resale or processing.



The Japan Copper and Brass Association establishes a Technical Standard for Lead-Free Brass

Growing environmental problems has increased the demand for Lead-Free Brass at various industries. Reflecting these demands, the Japan Copper and Brass Association established a Technical Standard for Lead-Free Brass (JCBA T204), Which includes 4 Bi added alloys and 2 Si added alloys. These 6 lead-free alloys meet the new Japanese drinking water regulations enforced from April 1, 2003. That requirement stipulates the amount of lead leaching from water supply devices should be less than 0.01mg/L. In addition to being lead-free, these materials have good machinability and forgeability. The Japan Copper and Brass Association will work to promote this technical standard to a JIS standard.

"ECO BRASS®" is registered as alloy numbers C6931 and C6932. ECO BRASS® has high strength equal to stainless steel, good abrasion resistance and solves the problems of dezincification corrosion and stress corrosion cracking both, which are characteristic problems of traditional brass.

Alloys and Chemical composition

AlloyNo.	Chemical composition (%)								
	Cu	Bi	Si	Sn	P	Pb	Zn	Fe	Others
C6801	57.0~64.0	0.5~4.0	-	0.2~2.5	0.2Max.	0.01Max.	Rem.	0.5Max.	

C6802	57.0~64.0	0.5~4.0	-	0.2~2.5	0.2Max.	0.01< 0.1Max.	Rem.	0.7Max.	
C6803	57.0~64.0	0.5~4.0	-	0.2~2.5	0.2Max.	0.01Max.	Rem.	0.5Max.	Se+Al+Sb+Te 0.02~0.6
C6804	57.0~64.0	0.5~4.0	-	0.2~2.5	0.2Max.	0.01< 0.1Max.	Rem.	0.7Max.	Se+Al+Sb+Te 0.02~0.6
C6931	69.0~80.0	-	2.0~4.0	0.2Max.	0.02~0.15	0.01Max.	Rem.	0.3Max.	Mg 0.1Max.
C6932	69.0~80.0	-	2.0~4.0	-	0.02~0.15	0.01< 0.1Max.	Rem.	0.3Max.	Mg 0.1Max.



Wieland-Werke and Sambo Copper sign license agreement for Europe

Sambo Shindoh Co., Ltd. (head office: Sakai City, Osaka, Japan. president: Mr. Tosiki Takeiri) announces that Sambo entered into a license agreement for the alloy and trademark "ECOBASS" with Wieland-Werke AG (head office: Ulm, Germany). Sambo grants on an exclusive basis a lead-free copper alloy under the trademark "ECOBASS" to Wieland within the territory of Europe.

Sambo has already acquired CDA alloy number for "ECOBASS" and has granted patents for this alloy in the U.S.A., Australia, Taiwan, and South Korea. Sambo has an European patent application for "ECOBASS" and expects that it will be granted soon. This License Agreement is part of the strategy of Sambo to establish "ECOBASS" as the global standard of Lead-Free brass in the near future.

Wieland is a major producer of copper and copper alloys in Europe and has a capacity of 500,000 t/year worldwide.

"ECOBASS" is one of the leading Lead-Free brass in the world. Next year, Wieland will start production and sales of "ECOBASS" in Europe based on this License Agreement.

Sambo and Wieland also agreed to develop the market for "ECOBASS" worldwide. Sambo believes this as a first step toward overseas presence of "ECOBASS".

Wieland-Werke AG : <http://www.wieland.de/internet/>

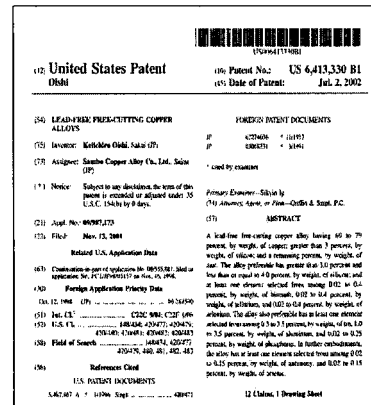


"ECO BRASS®" US patent received July 2002, prepares for CDA and ASTM registrations

We received patent number 6413330 for ECO BRASS® entitled "Lead-free free cutting copper alloys" in the United States on July 2, 2002.



Patent No.6,413,330 (Click for Enlargement)



Patent Description (Click for Enlargement)

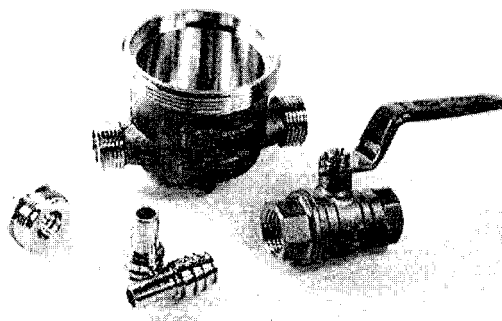
Following the US patent, application for an alloy number was sent to the Copper Development Association (CDA). The CDA number should be registered by end of 2002. ECO BRASS® rod will be registered as C69300 and the castings will be registered as C99200. We also are applying to the American Society for Testing and Materials (ASTM) for a Standard listing.

ECO BRASS® Patent Status

Country	Patent Date	Patent Number
USA	2002/07/02	6,413,330
Australia	2001/12/30	738301
Australia	2002/06/06	744335
Taiwan	2001/06/14	127567



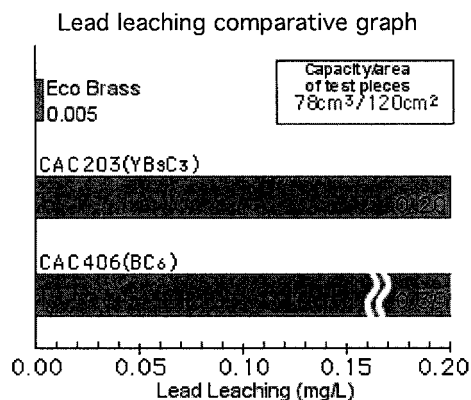
"ECO BRASS®" complies with new Japanese lead leaching standard of 0.005mg/L set to be enforced April 1, 2004



Lead Leaching Test

Lead was not detected in the lead leaching test performed by the Japan Food Research Laboratories. (detection limit 0.005mg/L)

The Japanese Ministry of Health, Labor and Welfare will revise the drinking water law on April 1, 2004. With the new law, lead content in drinking water will be decreased to a maximum of 0.01mg/L from a maximum of 0.05mg/L. The amount of lead leaching from water supplying devices will also be reduced to one fifth of the current standard. ECO BRASS® contains less than 0.1% lead and drinking water supplying devices made from ECO BRASS® have a lead leaching amount of less than 0.005mg/L. By using ECO BRASS® faucet, valve, fitting makers and other drinking water supply device makers can easily comply with the new standard.



Sample chemical composition & test results

Sample: Cast & machined ECO BRASS® (wt%)

	Cu	Si	Pb	Zn
(1) 0.03% Pb ECO BRASS®	75.56	3.05	0.036	Rem
(2) 0.1% Pb ECO BRASS®	75.34	3.10	0.107	Rem

Test Results

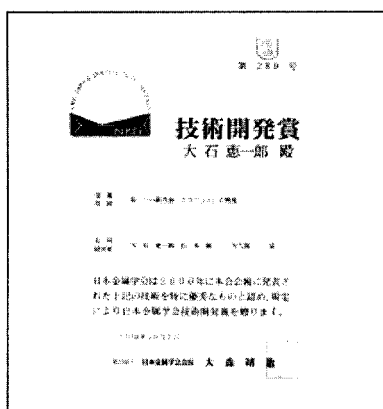
	Pb Leaching (mg/L)
(1) 0.03% Pb ECO BRASS®	Undetectable*
(2) 0.1% Pb ECO BRASS®	Undetectable*
(3) 2% Pb CAC203	0.20
(4) 5% Pb CAC406	0.39

* Detection limit 0.005mg/L

Test Method: JIS S 3200-7:1997 (no surface conditioning)
 Tested by: The Japan Food Research Laboratories
 Test results published: March 10, 2000
 Document control number: 200021557-001,002,006,007



"ECO BRASS®" receives "New Technical Innovation" award from the Japan Institute of Metals



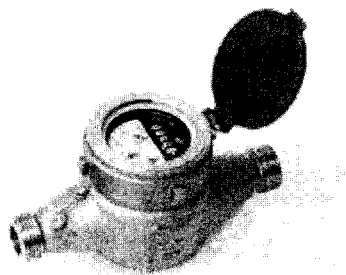
ECO BRASS® received the "New Technical Innovation" award from the Japan Institute of Metals November 1, 2000. This award is given to those who create new products or technical developments that are considered innovative. (Japanese text)

Click Image for an Enlargement



"ECO BRASS®" water meter certified by the Japan Water Works Association (JWWA)

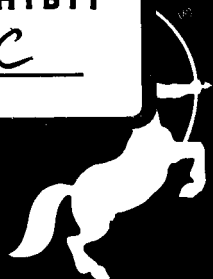
An ECO BRASS® water meter produced by Kimmon Co., Ltd. was the first lead-free water meter certified by the Japan Water Works Association.



Kimmon Co. Ltd. Water Meter



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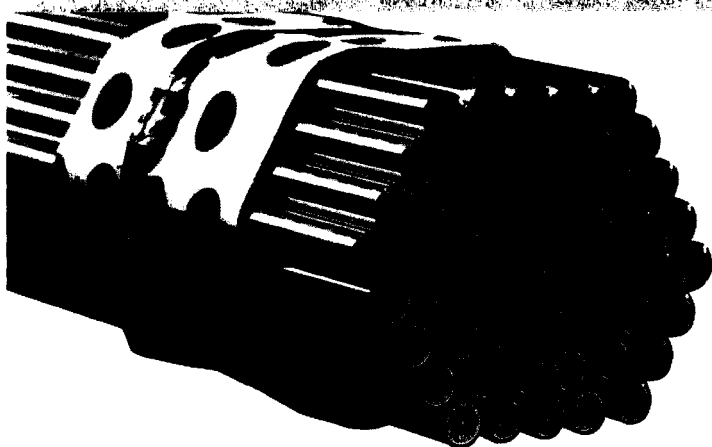


CHASE BRASS AND COPPER COMPANY, LLC

14-212 County Road M-50, Montpelier, Ohio 43543



GREEN DOT Rod



A MACHINABLE LEAD-FREE BRASS ROD AVAILABLE FROM CHASE BRASS



To compliment our world-class Blue Dot leaded brass rod, Chase Brass delivers the perfect alternative for customers looking for eco-friendly lead-free brass rod and forgings.

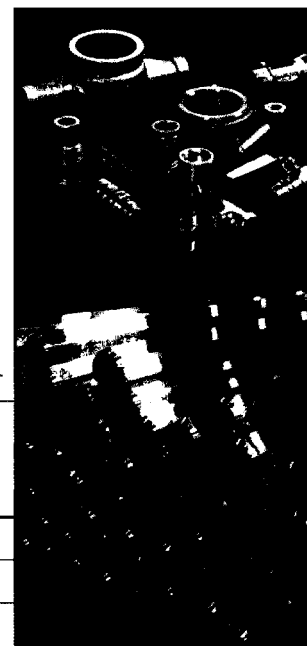
Our company has obtained the exclusive rights to sell, produce and distribute Green Dot Rod (An Eco Brass® Alloy) and Eco Brass Ingot, in the United States, Canada, and Mexico. Chase selected this product because it meets the needs of many of our customers who require lead-free products combining good machinability and excellent corrosion resistance characteristics. When your application calls for a lead-free, high strength raw material, consider Green Dot Rod.

GREEN DOT ROD ADVANTAGES:

- Lead-free
- Good machinability
- Excellent dezincification corrosion resistance
- Excellent stress corrosion cracking resistance
- High strength equivalent to stainless steel
- Excellent polishing and plating capabilities
- Solders and brazes with standard materials
- Excellent hot forgeability
- Antimicrobial properties

TYPICAL MECHANICAL PROPERTIES FOR HALF HARD TEMPER ROD.

Rod Diameter	Tensile Strength (ksi)	Yield Strength (ksi)	Elong. (%)	Hardness (Rb Scale)
0.500	98	52	22	92
1.000	96	52	36	89
2.000	90	46	31	86



GREEN DOT ROD APPLICATIONS:

- Drinking water fixtures and fittings
- PEX plumbing systems
- Fire protection devices
- Automotive parts: lead-free requirements
- European electrical/electronic parts
- Substitute for free-machining stainless steel

Alloy	Application	ASTM	Copper	Silicon	Phosphorus	Zinc
C69300	Machining	B124, B283, B371	76.0	3.0	0.10	Remainder

	Lengths	Bundle Weights
English	12 foot	1,000 lbs.
Metric	3.6 meters	454 kgs.



English
0.375" – 2.500"
Metric
95mm – 63.5mm



English
0.437" – 2.000"
Metric
11.1mm – 50.8mm



Consult
Mill

For More Information Call Toll Free: 1-800-537-4291 – www.chasebrass.com



ECO BRASS® Partners

ADVANTAGES:

- Lead-free
- Good machinability
- Excellent stress corrosion cracking resistance
- Good castability
- Excellent dezincification resistance
- Plentiful supply of raw materials

APPLICATIONS:

- Drinking water applications
- Plumbing and water handling
- Fire suppression
- Water meter bodies
- Automotive parts required to meet lead-free specifications



Ingot Metal Company Limited

111 Fenmar Drive, Weston, Ontario Canada M9L 1M3

1-800-567-7774 • Fax 416-749-1371

www.ingot.ca

California Metal-X

366 East 58th Street, Los Angeles, California 90011

1-888-CMETALX • 323-234-9281 • Fax 323-234-0814

www.cmxmetals.com

ECO BRASS INGOT DELIVERS PERFORMANCE

Eco Brass ingot provides the best alternative for lead-free casting applications requiring high strength and corrosion resistance while maintaining good machinability.

Eco Brass ingot (ASTM B30) offers casting manufacturers several advantages compared to both leaded and lead-free casting product alternatives.

- Eco Brass has a lower pouring temperature compared to standard leaded brasses
- A shortened solidification range makes it less prone to dispersed microporosity
- The silicon content in the alloy and the low melting temperature result in reduced dross formation and tuming.
- The phosphorus addition gives Eco Brass excellent fluidity for replication of details

TYPICAL MECHANICAL PROPERTIES (ASTM B584, B806)

Casting Method	Tensile Strength (ksi)	Yield Strength (ksi)	Elong. (%)
Sand	59	22	16
Permanent Mold	64	32	16

Concast Metal Products

PO Box 816, Myoma Road, Mars, PA 16046

1-800-626-7071 • Fax 724-538-3956

14315 St. Rt. 113, Birmingham, OH 44816

1-800-288-7856 • Fax 440-965-4225

www.concast.com

www.greenalloys.com

Concast Metal Products Company manufactures Eco Brass continuous cast rod, bar and hollow bar. Their vertical casting facility is in Mars, PA, and their horizontal casting facility is in Birmingham, OH.

Mill Capabilities

- Ability to cast near net shapes
- Continuous cast rod sizes 1/2" - 12"
- Hollow bar
- 6' up to 12' lengths (other lengths available upon request)
- Centerless grinding available

TYPICAL MECHANICAL PROPERTIES (ASTM B505)

Size (in.)	Tensile Strength (ksi)	Yield Strength (ksi)	Elong. (%)
0.750" RD	75	35	10
2.000" RD	68	30	15
2" OD x 1" ID	68	35	11

ASTM B584, B806, B505, B30, B36, B37, B38, B39, B40, B41, B42, B43, B44, B45, B46, B47, B48, B49, B50, B51, B52, B53, B54, B55, B56, B57, B58, B59, B60, B61, B62, B63, B64, B65, B66, B67, B68, B69, B70, B71, B72, B73, B74, B75, B76, B77, B78, B79, B80, B81, B82, B83, B84, B85, B86, B87, B88, B89, B90, B91, B92, B93, B94, B95, B96, B97, B98, B99, B100, B101, B102, B103, B104, B105, B106, B107, B108, B109, B110, B111, B112, B113, B114, B115, B116, B117, B118, B119, B120, B121, B122, B123, B124, B125, B126, B127, B128, B129, B130, B131, B132, B133, B134, B135, B136, B137, B138, B139, B140, B141, B142, B143, B144, B145, B146, B147, B148, B149, B150, B151, B152, B153, B154, B155, B156, B157, B158, B159, B160, B161, B162, B163, B164, B165, B166, B167, B168, B169, B170, B171, B172, B173, B174, B175, B176, B177, B178, B179, B180, B181, B182, B183, B184, B185, B186, B187, B188, B189, B190, B191, B192, B193, B194, B195, B196, B197, B198, B199, B200, B201, B202, B203, B204, B205, B206, B207, 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